



§ 230.4

40 CFR Ch.

tion; waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.11(m) which also meet the criteria of this definition) are not waters of the United States.

(t) The term *wetlands* means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

§ 230.4 Organization.

The Guidelines are divided into eight subparts. Subpart A presents those provisions of general applicability, such as purpose and definitions. Subpart B establishes the four conditions which must be satisfied in order to make a finding that a proposed discharge of dredged or fill material complies with the Guidelines. Section 230.11 of Subpart B, sets forth factual determinations which are to be considered in determining whether or not a proposed discharge satisfies the Subpart B conditions of compliance. Subpart C describes the physical and chemical components of a site and provides guidance as to how proposed discharges of dredged or fill material may affect these components. Subparts D through F detail the special characteristics of particular aquatic ecosystems in terms of their values, and the possible loss of these values due to discharges of dredged or fill material. Subpart G prescribes a number of physical, chemical, and biological evaluations and testing procedures to be used in reaching the required factual determinations. Subpart H details the means to prevent or minimize adverse effects. Subpart I concerns advanced identification of disposal areas.

§ 230.5 General procedures to be followed.

In evaluating whether a particular discharge site may be specified, the permitting authority should use these Guidelines in the following sequence:

(a) In order to obtain the principal regulation the Guidelines, review on discharge in § 230.11(d), the measures to impact of Subpart E factual determinations.

(b) Determine if (§ 230.7) is applicable needs merely terms, and no further permitting authority conditions for posed General permit in § 230.7. If the discharge is determined by a General permit.

(c) Examine practices to the proposed discharge into the or discharging in aquatic site with potential consequences.

(d) Delineate the site consistent with evaluations of § 230.11.

(e) Evaluate the physical and chemical components of the candidate site. the water including characteristics (Subpart C).

(f) Identify and evaluate or critical characteristics of the disposal site areas which might be affected by such site, relationships to communities or human health (D, E, and F).

(g) Review Factors in § 230.11 to determine information in the discharge to provide the required by § 230.11 pre-testing evaluation § 230.60, or other necessary.

(h) Evaluate the discharge to determine chemical contaminants compatibility of the discharge (§ 230.60).

(i) If there is a type of chemical component the appropriate section on Evaluation (§ 230.61).

(j) Identify applicable changes to minimize the environmental impact.